

REMARKS IN RESPONSE TO THE OFFICE ACTION:

FIRST REJECTION UNDER 35 U.S.C. § 102:

Claims 1–9, 12, 16–18, and 20–28 stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent No. 1,707,780 to Baum. Applicant respectfully traverses the rejection in view of the amendments to the claims and the following remarks.

Baum discloses a jewelry article in which an interchangeable setting is provided with a latching spring to secure the setting within the article. The setting includes a top 15 with a jewel 13', a plate 19, and a spring 16 with a lug 18 adapted to engage a socket 17 in the article. Components 15, 13', 19, 16, and 17 function together as a single, interchangeable unit. Baum does not disclose or suggest the use of an independent module discrete from the setting to hold the setting against movement along the one axis as recited in the amended claims. Consequently, Baum fails to disclose or suggest all of the limitations of the claimed invention.

SECOND REJECTION UNDER 35 U.S.C. § 102:

Claims 6–9 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 3,307,275 to Estrin et al. Applicant respectfully traverses this rejection in view of the foregoing amendments and the following remarks.

Estrin discloses a ring with interchangeable heads 24 that are slid into place by interaction of a tongue 32 on the ring body 16 with a slot 40 and bridge 42 on the shank A of the setting. The Examiner defines the “setting” to include only decorative portion 26 and the “module” to include shank A and head 24. The Examiner fails to recognize that the decorative portion 26 and shank A are both simply integral components of the head 24. Estrin neither discloses nor suggests the use of an independent module discrete from the setting to hold the setting against movement along the one axis as recited in the amended claims. Consequently, Estrin fails to disclose or suggest all of the limitations of the claimed invention.

THIRD REJECTION UNDER 35 U.S.C. § 102:

Claims 6–12, 16, 17, 25 and 30 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,228,317 to Hendricks. Applicant respectfully traverses this rejection in view of the foregoing amendments and the following remarks.

Hendricks discloses a ring with interchangeable settings 20, 22 that are held in place within receiving hole 35 when shanks 23, 27 are rotated into engagement. The Examiner defines the “body” to include shank 23 and the “module” to include shank 27. Notably, these shanks are rotatably connected by pin 29. Hendricks neither discloses nor suggests the use of a module that is slidably coupled to the jewelry article to hold the setting against movement along the one axis as recited in the amended claims. Consequently, Hendricks fails to disclose or suggest all of the limitations of the claimed invention.

FOURTH REJECTION UNDER 35 U.S.C. § 102:

Claims 6–9 and 12–17 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,133,195 to Appelbaum et al. Applicant respectfully traverses this rejection in view of the foregoing amendments and the following remarks.

Appelbaum discloses a ring with an interchangeable setting 20, 22, 26 that is held in place on bridge 28 when latch 50 is closed. Latch 50 is integrally connected to the setting by pin 52. Appelbaum thus neither discloses nor suggests the use of an independent module discrete from the setting to hold the setting against movement along the one axis as recited in the amended claims. Moreover, Appelbaum neither discloses nor suggests a module “slidably coupling on the body” as recited in the present claims. Consequently, Appelbaum fails to disclose or suggest all of the limitations of the claimed invention.

Given the above, Applicant requests that the Examiner reconsider and withdraw the rejection of claims 1–18, 20–28 and 30 under 35 U.S.C. § 102(b) and indicate the allowance of each of these claims in the next paper from the Office.



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REJECTION UNDER 35 U.S.C. § 103:

Claims 6, 19, 25 and 29 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hendricks in view of Applicant's own U.S. Patent No. 6,715,315 (Hartgrove). Applicant respectfully traverses this rejection as well.

Neither Hendricks, Hartgrove, nor any other of the cited references discloses or suggests a jewelry article as now claimed. None of these references discloses a means or module for holding an interchangeable setting along one axis wherein the means or module is slidably coupled to the body of the article from a direction not along the one axis.

Given the above, Applicant requests that the rejection of claims 6, 19, 25 and 29 under 35 U.S.C. § 103(a) be reconsidered and withdrawn and that the Examiner indicate the allowance of the claims in the next paper from the Office.

The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. § 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 01-2508, referencing Order No. 11149.0030.NPUS00.

The Examiner is invited to contact the undersigned representative by telephone to discuss any issues or questions raised by this paper.

Respectfully submitted,

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